

Notice of Allowability

Application No.

09/695,443

Examiner

Toan N. Pham

Applicant(s)

CHEROUNY ET AL.

Art Unit

2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on January 14, 2005.
2. ☒ The allowed claim(s) is/are 1-32.
3. ☒ The drawings filed on 14 January 2005 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 10/24/00
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Allowable Subject Matter

Claims 1-32 are allowed.

The following is an examiner's statement of reasons for allowance: The present invention is directed to a programmable speed limiter for a motor vehicle. Each independent claim identifies the uniquely distinct features:

Regarding claim 1: "a data processing having performance criteria preprogrammed therein which relates to the driving performance history of the given individual, an alarm associated with the data processing to sound an alarm at selected driving conditions for the given individual, and engine control associated with the data processor and adapted to regulate operation of the engine of a vehicle, whereby the operation of a vehicle by the given individual can be preprogrammed, recorded and closely monitored".

Regarding claim 8: "data-link means on the electronic module by which control program data specific to a driver may be downloaded into the module to create driving parameters for multiple drivers per vehicle, whereby the operation of the vehicle may be limited to preprogrammed parameters in terms of speed and other factors including the operators driving history".

Regarding claim 24: "preprogramming the module with information relating to one or more of the data groups; judicial information on the designated driver, to include age, license type, and entire violation record and court history parental information on the designated driver, to include parental inputs as to curfew times, maximum speeds at various times of the day and night, commercial information on the designated driver, to

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include type of license, experience with the particular vehicle type, past training on the vehicle and total number of hours spent on vehicle type, statistical information on the designated driver, to include age, gender, and length of driving time, providing an identification function to enable the designated driver to start and operate the motor vehicle, downloading the operation of the motor vehicle by the designated driver at the conclusion of the operation, and making any changes to the preprogramming necessitated by the previous driving record, whereby a designated driver's continued operation of a motor vehicle may be monitored over time and corrective operation parameters programmed in where needed".

Regarding claim 26: "the electronic module comprising a first portion adapted to be mounted inside a motor vehicle, a second portion adapted to be placed inside the first portion, a micro controller operational and sensing circuit means within the second portion and adapted to be loaded with operational parameters for operation of the motor vehicle".

Regarding claim 29: "the interactive program comprising means to present to the parent of a youngster a record of his or her driving record for a given day, selection means within the software which is adapted to interact with a control device on a vehicle to allow or not allow the youngster to drive the day following the given day, whereby the youngster can control his ability to drive by driving properly and will be denied by ability to drive when his or her driving is below standards".

The prior art cited herein fail to teach or anticipate the above limitations obvious.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art of Gastelum (US 6,807,481), Kozak et al. (US 6,629,034), Berstis (US 6,198,996), Takahashi (US 5,172,785), Silvernagle et al. (US 6,253,143), Horgan et al. (US 6,306,063), and Peretz (US 5,819,198) are cited to show a variety of vehicle control systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan N. Pham whose telephone number is (571) 272-2967. The examiner can normally be reached on M-F.

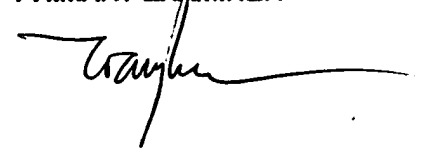
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

June 24, 2005

TOAN N. PHAM
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read 'Toan N. Pham', written over the printed name and title.